



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

219

CRM-M-54327-2025

Date of Decision: 10.11.2025

KARAN KUMAR @ COMPUTER

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE MANISHA BATRA

Present: Mr. Partap Singh, Advocate and
Mr. Manav Sharma, Advocate for the petitioner.

Ms. Himani Arora, DAG, Haryana.

Ms. Shivam Jaglan, Advocate for the complainant.

MANISHA BATRA, J. (ORAL)

1. The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No.525 dated 06.09.2025, under Sections 21(C) and 27-A of NDPS, Act, registered at Police Station Sadar Thanesar, District Kurukshetra, Haryana.

2. Vide order dated 25.09.2025 passed by this Court, the arrest of the petitioner was stayed and he was directed to join investigation.

3. Learned State counsel, on instructions from the Investigating Officer, submits that although the petitioner has joined investigation on 29.09.2025. Learned State counsel has submitted that the petitioner has not



cooperated with the Investigating Officer as well as not disclose the names of others persons involved in the present case. It is further submitted that call detail records between the petitioner and co-accused Lovlesh @ Monti, who was apprehended at the spot. It is, thus, contended that custodial interrogation of the petitioner is required.

4. So far as the contention as raised by learned State counsel qua allegation of non-cooperation is concerned, this Court does not find any compelling ground to justify custodial interrogation of the petitioner due to that reason since the well settled proposition of law is that once an accused joined the investigation, then only because of the reason that nothing incriminating could be discovered or no recovery was got effected from him, would not mean that there is non-cooperation on the part of the accused. Reliance in this context can be placed upon the observation as made in **Santosh versus State of Maharashtra (2017) 9 SCC 714** and **Jugraj Singh versus State of Punjab, SLP No.9190 of 2025 decided on 20.08.2025 by Hon'ble Apex Court**. The purpose of joining investigation is to make oneself available to the investigating agency and to respond to lawful queries and not to compulsorily divulge self-incriminating information. In the instant case, the conduct of the petitioners in appearing before the Investigating Officer and responding to the investigation, satisfies the legal standard of cooperation. Keeping in view the nature of the allegations, pre-trial incarceration of the petitioners are also not required. It is also well settled that pre-trial incarceration should not be a replica of post conviction. As such, a case is made out for allowing the present petition.

5. Accordingly, the petition is allowed. *In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on ad interim*



bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

(MANISHA BATRA)
JUDGE

November 10, 2025
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No